

Appl. No.: 09/658,245
Amd. dated: December 2, 2003
Reply to Office Action of: September 2, 2003

REMARKS/ARGUMENTS

The above Amendments and these Remarks are in reply to the Office Action mailed on September 2, 2003. No fee is due.

Claims 1-15 were pending and rejected. Claims 1-15 are now pending. Claims 1, 2, 4-10, 12, 14, and 15 were rejected under 35 U.S.C. 102(e) as being anticipated by Smith, U.S. Patent No. 6,490,343. Claims 3 and 11 were rejected under 35 U.S.C. 103(a) as being obvious to one of ordinary skill in the art over Smith. Applicants respectfully traverse these rejections.

Claim 1 as amended, recites a telecommunications infrastructure having the following features:

- (a) a first electronic device, coupled to the telecommunication infrastructure;
- (b) a second electronic device, coupled to the infrastructure, for providing a conversation representation; and,
- (c) a processing device, coupled to the telecommunication infrastructure and remote to the first electronic device for storing 1) a conversation element associated with the conversation representation and 2) a software program for providing an audible utterance to the first electronic device in response to a selected conversation representation.

Smith fails to disclose or suggest a processing device remote to the first electronic device. The recited telephone infrastructure includes a facility which receives conversation representation signals, converts them to conversation elements, and then transmits the conversation elements to a remote electronic device such as a home or cellular telephone. This construction enables a user conversing with another party, who finds himself in a situation where he is unable to talk, to continue to converse or to indicate to the other party that he is unable to talk. As the present system converts the conversation representations to speech before transmitting them to the first electronic device,

Appl. No.: 09/658,245
Amd. dated: December 2, 2003
Reply to Office Action of: September 2, 2003

users can transmit conversational elements to anyone possessing a standard telephone. Thus, the present invention is configured the easy addition of new users who lack specialized electronics hardware.

Conversely, Smith discloses a system where two terminals having data to voice capabilities are coupled to one another. An end user connected to the infrastructure of Smith could not parse the transmitted message fragments unless he similarly possessed a conversion unit. Thus, Smith fails to disclose or suggest the claimed limitation of a processing device remote to the first device which accepts conversation indicators and converts them to speech.


Claim 13 is rejected under 35 U.S.C. 103(a) as being obvious to one of ordinary skill in the art over Smith in view of Dowens, U.S. Patent No. 6,389,114. Dowens, which discloses a proprietary voice chat relay system that converts text on a character by character basis similarly fails to disclose the transformation of formed conversation representations into conversation elements. As all of the cited references, either alone or in combination fail to disclose or suggest the features of the claimed invention, Applicants respectfully request that the Examiner withdraw his objection.

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Appl. No.: 09/658,245
Amd. dated: December 2, 2003
Reply to Office Action of: September 2, 2003

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: December 2, 2003 By: 
Bryon T. Wasserman
Reg. No. 48,404

FLIESLER DUBB MEYER & LOVEJOY LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800